

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 51

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING THE FINDINGS OF THE LEGISLATURE; ENCOURAGING IDAHO STATE AGENCY HEADS TO WORK WITH THE ENTITIES AFFECTED BY THEIR AGENCY RULES TO ASSIST THEM IN COMPLYING WITH THE RULES IN WAYS THAT WILL MAINTAIN AND ENHANCE ECONOMIC ACTIVITY AND EMPLOYMENT OPPORTUNITIES FOR IDAHO CITIZENS, REQUESTING AGENCY HEADS TO PRIORITIZE THEIR EFFORTS TO AMEND EXISTING RULES OR TO PROPOSE NEW RULES AS LISTED AND REQUESTING STATE AGENCIES NOT TO EXPEND FUNDS TO ADDRESS ISSUES NOT COVERED BY THE LISTED PRIORITIES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, it is the policy of the state of Idaho to protect and promote the health, safety and general welfare of the people of this state; and

WHEREAS, state agencies have the responsibility to propose new rules or amend existing rules to implement statutes enacted by the Idaho Legislature consistent with the legislative intent of those statutes; and

WHEREAS, state revenues for state fiscal year 2010 will be less than the revenue received in state fiscal year 2009; and

WHEREAS, little growth in state revenue is projected for state fiscal year 2011; and

WHEREAS, considerable private sector resources are required to engage in negotiated rulemaking with state agencies; and

WHEREAS, the Idaho Legislature has the responsibility to ensure that current and new revenues are spent appropriately.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that Idaho state agency heads are encouraged to work with the entities affected by their agency rules to assist them in complying with the rules in ways that will maintain and enhance economic activity and employment opportunities for Idaho citizens.

BE IT FURTHER RESOLVED that the Idaho Legislature requests that agency heads prioritize their efforts to amend existing rules or to propose new rules as follows:

(1) Rules addressing an imminent and substantial threat to public health, safety or the environment.

(2) Rules required by specific direction of the Legislature.

(3) Rules required by the enactment of a new state statute.

(4) Rules required by the enactment of a new federal statute.

(5) Rules required to maintain state primacy of a federally delegated program.

(6) Rules specifically required by a federal agency.

(7) Rules required as a specific condition of a federal grant or appropriation.

1 (8) Rules that the Governor specifically finds are necessary for an
2 agency to meet its statutory obligations.

3 BE IT FURTHER RESOLVED that the Idaho Legislature requests that state
4 agencies not expend dedicated funds, federal funds or state funds appropri-
5 ated for state fiscal year 2011, to amend existing rules or to propose new
6 rules to address issues not covered by these priorities.